

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

- against -

MARK SANDY,

Defendant.

PRELIMINARY  
ORDER OF FORFEITURE

03-CR-1368 (ARR)

- - - - - X

WHEREAS, in the Forfeiture Allegation of the Indictment in the above-captioned case the United States sought forfeiture pursuant to Title 21, United States Code, Section 853, of any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the defendant's violation of Title 21, United States Code, Section 963, to wit, conspiracy to import a controlled substance into the United States from a place outside thereof, which offense involved five kilograms or more of a substance containing cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 952(a) and any property used, or intended to be used, in any manner or part, to commit, or to facilitate such violation; and

WHEREAS, on June 4, 2004, in the above-captioned case, the defendant pleaded guilty to Count One of the Indictment as alleged, to wit, conspiracy to violate Title 21, United States Code, Section 963, as alleged in the Indictment; and

WHEREAS, pursuant to the defendant's plea agreement, the defendant consented and agreed to the entry of a forfeiture money judgment in the sum of \$20,000.00 in United States currency pursuant to Title 21 United States Code, Section 853 (the "Forfeiture Money Judgment"), due in full within thirty (30) days of the entry of his plea.

WHEREFORE, it is hereby ORDERED, ADJUDGED AND DECREED THAT:

1. Pursuant to Title 21, United States Code, Section 853, a Forfeiture Money Judgment in the sum of \$20,000.00 in United States currency be and hereby is entered against the defendant.

2. Pursuant to Title 21, United States Code, Section 853, the defendant shall forfeit to the United States all of his right, title and interest in the Forfeiture Money Judgment.

3. Upon entry of this Order, the United States Attorney General, or his designee, including but not limited to the Bureau of Customs and Border Protection, Department of Homeland Security, is authorized to seize and dispose of the funds tendered by the defendant in satisfaction of the Forfeiture Money Judgment.

4. Pursuant to Fed. R. Crim. P. 32.2(b)(3), this Preliminary Order of Forfeiture shall become final as to the defendant at the time of sentencing and shall be made part of the sentence and judgment.

5. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

6. The Clerk of the Court shall forward four (4) certified copies of this Order to Assistant U.S. Attorney Brendan G. King, U.S. Attorney's Office, Eastern District of New York, One Pierrepont Plaza, 16<sup>th</sup> Floor, Brooklyn, New York 11201.

Dated: Brooklyn, New York  
August 4, 2006

  
HONORABLE ALLYNE R. ROSS  
UNITED STATES DISTRICT JUDGE